## REMARKS

Claims 1, 3-9, 11, 12, 14-19, and 21-24 are pending in the subject application and are presently under consideration. A version of the claims is at pages 2-5. Claims 2, 10, 13 and 20 stand cancelled. Claims 5 and 15 have been amended herein correcting minor informalities that address the Examiner's recent rejection. Favorable reconsideration of the subject patent application is respectfully requested in view of the comments and amendments herein

### I.    Rejection of Claims 5 and 15 Under 35 U.S.C. §112

Claims 5 and 15 stand rejected under 35 U.S.C. §112, second paragraph as being indefinite for failing to particular point out and distinctly claim the subject matter which applicant regards as the invention. In view of the amendments to claims 5 and 15, this rejection is believed to be moot and should be withdrawn.

### II.    Rejection of Claims 1, 3-9, 11, 12, 14-19, and 21-24 Under 35 U.S.C. §102(e)

Claims 1, 2, 8, 11, 13-19 and 21 stand rejected under 35 U.S.C. §102(e) as being anticipated by Drews (US 6,463,535). Withdrawal of this rejection is requested for at least the following reasons. Drews fails to disclose all features of the subject claims.

> A single prior art reference anticipates a patent claim only if it expressly or inherently describes *each and every limitation* set forth in the patent claim. *Trintec Industries, Inc. v. Top-U.S.A. Corp.*, 295 F.3d 1292, 63 USPQ2d 1597 (Fed. Cir. 2002); *See Verdegaal Bros. v. Union Oil Co. of California*, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987). *The identical invention must be shown in as complete detail as is contained in the ... claim. Richardson v. Suzuki Motor Co.*, 868 F.2d 1226, 9 USPQ2d 1913, 1920 (Fed. Cir. 1989). (emphasis added).

The claimed invention provides security and facilitates integrity of components or assemblies employed during runtime by application programs. Independent claim 1 recites a method for facilitating a secured name space for an assembly employable by application programs during runtime, comprising the steps of providing a key pair having a public key and a private key; *providing the assembly with a manifest that contains the public key*; hashing the assembly; encrypting the hash of the assembly with the private key; relating the encrypted hash

6

to the assembly; and *referencing the assembly with a manifest that contains a token of the public key that is computed by a hash function*. Independent claims 9, 12 and 19 recite similar features. Drews fails to allow for such enhanced transactional security as is provided for by the claimed invention.

Rather, Drews provides a scheme for verifying integrity of downloaded software. Specifically, the reference facilitates boot image transfer from a server computer to remotely located local computers. A signed manifest file corresponding to the boot image is also sent to the target local computer either before, concurrently or after the boot image is transferred. *See* col. 3, lines 18-24. The manifest contains a digital signature and a digital certificate that contains a public key to facilitate file integrity verification at run time of the application.

On page 3 of the Final Office Action, the Examiner incorrectly asserts that Drews teaches *providing an assembly with a manifest that contains the public key*, as in the claimed invention. At the cited sections of the reference, Drews discloses a signed manifest associated with the boot image that consists of a hash of each sub image of the boot image, digital signature and a digital certificate chain to facilitate file integrity verification at run time of the application. However, Drews does not provide the public key with the actual boot image during transmission. Rather, the signed manifest that contains the public key for verification and the boot image are sent to the target local computer separately. To the contrary, for example, the claimed invention ensures uniqueness of an assembly name because the assembly is published with a publisher's public key. Since Drews sends the public key and the boot image in separate transmissions, the cited reference fails to disclose *an assembly employable by application programs during runtime with a manifest that contains the public key*, as in the claimed invention.

Furthermore, the Examiner contends that Drews discloses the claimed feature of referencing the assembly with a manifest *that contains a token of the public key that is computed by a hash function*. At the indicated portions of the reference, upon retrieval of the boot image, the local computer taught by Drews invokes a verification function that points to a signed manifest for file integrity verification. The signed manifest comprises a digital certificate that includes a public key of the source providing software to the local program. Thus, Drews verifies the boot image by referencing with the public key within the digital certificate rather than *a token of the public key* as afforded by the claimed invention.

7

09/605,602                                                        MS146909.01/MSFTP118US

In view of at least the foregoing, it is readily apparent that Drews fails to disclose the identical invention in as much detail as is contained in the subject claims. Accordingly, this rejection with respect to independent claims 1, 9, 12 and 19 (and the claims that depend there from) should be withdrawn.
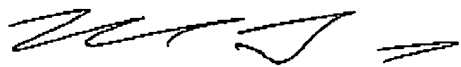
## Conclusion

The present application is believed to be in condition for allowance in view of the above comments and amendments. A prompt action to such end is earnestly solicited.

In the event any fees are due in connection with this document, the Commissioner is authorized to charge those fees to Deposit Account No. 50-1063 [MSFTP118US].

Should the Examiner believe a telephone interview would be helpful to expedite favorable prosecution, the Examiner is invited to contact applicants' undersigned representative at the telephone number listed below.

Respectfully submitted,

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8